



Attachment A –Special Terms and Conditions
RFX No. 3000006722 TITLE: Ice Cream Mix, Vanilla, Reduced Fat
LDH – Pinecrest Supports & Services Complex

Bidder:

Bid delivery instructions for State Procurement:

Bidders are hereby advised that the U.S. Postal Service does not make deliveries to our physical location: Bids may be mailed through the U.S. Postal Service to our box at:

P O Box 94095
Baton Rouge, LA 70804-9095

Bids may be delivered by hand or courier service to our physical location as follows:

Office of State Procurement
Claiborne Building, Suite 2-160
1201 North Third Street
Baton Rouge, LA 70802.

Bidder should be aware of security requirements for the Claiborne Building and allow time to be photographed and presented with a temporary identification badge.

Bidder is solely responsible for ensuring that its courier service provider makes inside deliveries to our physical location. The Office of State Procurement is not responsible for any delays caused by the bidder's chosen means of bid delivery. Bidder is solely responsible for the timely delivery of its bid. Failure to meet the bid opening date & time shall result in rejection of the bid.

Publicizing awards: In accordance with L.A.C. 34:I.535, unsuccessful bidders will be notified of the award provided that they submit with their bid a self-addressed stamped envelope requesting this information.

****Attention: ****

Receipt of a solicitation or award cannot be relied upon as an assurance of receiving future solicitations. In order to receive notifications of future solicitations from this office, you must pay a registration fee and enroll in the proper category in LaGov at the following website:

https://lagoverpvendor.doa.louisiana.gov/irj/portal/anonymous?guest_user=self_reg

Enrollment in LaGov provides LaPac email notification of bid opportunities based upon commodities that you select.

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Terms and Conditions: This solicitation contains all the terms and conditions with respect to the commodities herein. Any vendor contracts, forms, terms or other materials submitted with bid may cause bid to be rejected.

Vendor's Forms: The purchase/release order is the only binding document to be issued against this contract. Signing of vendor's forms is not allowed.

Acceptance: Unless otherwise specified, bids on this contract will be assumed to be firm for acceptance for a minimum of 60 days. If accepted, prices must be firm for the specified contract period.

Cancellation: The State of Louisiana reserves the right to cancel this contract with thirty (30) days written notice.

Invoices: Invoice will be submitted by the contractor to the using agency, and the invoice shall refer to the delivery ticket number, delivery date, purchase / release order number, quantity, unit price, and delivery point. A separate invoice for each order delivered and accepted shall be submitted by the contractor in duplicate directly to the accounting department of the using agency. Invoices shall show the amount of any cash discount, and shall be submitted on the contractor's own invoice form.

Payment: Payment will be made on the basis of unit price as listed in this contract; such price and payment will constitute full compensation for furnishing and delivering the contract commodities. In no case will the state agency refuse to make partial payments to the contractor although all items have not been delivered. This payment in no way relieves the contractor of his responsibility to effect shipment of the balance of the order. Payment will be made to vendor and address as shown on order.

Provide Specs & Literature: Literature and/or specifications must be submitted upon request. If requested, literature and/or specifications must be submitted within seven (7) days.

Every item bid should have sufficient information enclosed with the bid in order to determine, quality, suitability and compliance with the specifications. The above requirements include items in which the bidder states he proposes to furnish exactly what is called for in the specifications.

If bidding other than specified, sufficient information should be enclosed with the bid in order to determine quality, suitability, and compliance with the specifications.

Failure to comply with this request may eliminate your bid from consideration.

Deliveries: Contractors will maintain an adequate supply of all items in order to meet specified delivery.

*****No initial delivery is required. Orders will be phoned in as needed by Agency*****

Increase/decrease: The above quantities are estimated to be the amount needed. In the event a greater or lesser quantity is needed, the right is reserved by the State of Louisiana to increase or decrease the amount, at the unit price stated in the bid.

Renewal: At the option of the State of Louisiana and acceptance by the contractor, this contract may be extended for two (2) additional twelve (12) month periods at the same price, terms and conditions. Total contract time may not exceed thirty-six (36) months.

Contractual period: This contract shall be effective for the period beginning date of award and ending June 30, 2017.

Certification of No Suspension or Debarment: Certification of no suspension or debarment: By signing and

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submitting any bid for \$25,000 or more, the bidder certifies that their company, any subcontractors, or principals are not suspended or debarred by the General Services Administration (GSA) in accordance with the requirements in “audit requirements in Subpart F of the Office of Management and Budget’s uniform administrative requirements, cost principals and audit requirements for federal awards” (formerly OMB Circular A-133). A list of parties who have been suspended or debarred can be viewed via the internet at <http://www.sam.gov>.

LaCarte procurement card:

In an effort to increase efficiencies and effectiveness as well as be strategic in utilizing technology and resources for the state and vendors, the state intends to make all payments to vendors electronically. The LaCarte procurement card will be used for purchases of \$5,000 and under, and where feasible, over \$5,000. Vendors will have a choice of receiving electronic payment for all other payments by selecting the electronic vendor payment solution (EVP) or electronic funds transfer (EFT). If you receive an award and do not currently accept the LaCarte card or EVP or have not already enrolled in EFT, you will be asked to comply with this request by choosing one of the following three options. You may indicate your acceptance below.

LaCarte

The LaCarte procurement card uses a visa card platform. Vendors receive payment from state agencies using the card in the same manner as other visa card purchases. Vendors cannot process payment transactions through the credit card clearinghouse until the purchased products have been shipped or received or the services performed.

For all statewide and agency term contracts:

- Under the LaCarte program, purchase orders are not necessary. Orders must be placed against the net discounted products of the contract. All contract terms and conditions apply to purchases made with LaCarte.
- If a purchase order is not used, the vendor must keep on file a record of all LaCarte purchases issued against this contract during the contract period. The file must contain the particular item number, quantity, line total and order total. Records of these purchases must be provided to the Office of State Purchasing on request.

EVP

EVP method converts check payments to a visa credit card thereby streamlining payments to your organization. Participants receive a credit card account number with unique security features. This card will have \$0 available funds until an invoice is approved for payment. As payments are approved, electronic remittance notifications are sent via email along with approval to charge the card for that amount. EVP requires no change to current invoice procedures; it is secure, and does not require your bank information.

EFT

EFT payments are sent from the state’s bank directly to the payee’s bank each weekday. The only requirement is that you have an active checking or savings account at a financial institution that can accept automated clearing house (ACH) credit files and remittance information electronically. Additional information is available at <http://www.doa.louisiana.gov/osrap/eftforwebsite.pdf> . To facilitate this payment process, you will need to complete and return both EFT enrollment forms found at <http://www.doa.louisiana.gov/erp/pdfs/lagov%20ap-03%20-%20eft%20vendor%20enrollment%20form.pdf> and <http://www.doa.louisiana.gov/osrap/eftforwebsite.pdf>.

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Payment Type	Will Accept	Already Enrolled
LaCarte	_____	_____
EVP	_____	_____
EFT	_____	_____

Printed Name of Individual Authorized

Authorized Signature for Payment Type Chosen

Date

Email address and phone number of Authorized Individual

Preference:

In accordance with Louisiana Revised Statutes 39:1595, a preference may be allowed for products manufactured, produced, grown, or assembled in Louisiana of equal quality.

Do you claim this preference? Yes_____

Specify line number (s):_____

Specify location within Louisiana where this product is manufactured, produced, grown or assembled:

(Note: If more space is required, include on separate sheet)

Do you have a Louisiana Business Workforce? Yes_____No_____

If so, do you certify that at least fifty percent (50%) of your Louisiana Business Workforce is comprised of Louisiana residents? Yes_____No_____

Failure to specify above information may cause elimination from preferences. Preferences shall not apply to service contracts.

Procurement of United States products:

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In accordance with the provisions of R.S. 39:1595.7, in the event a contract is not entered into for products purchased under the provisions of R.S. 39:1595, each procurement officer, purchasing agent, or similar official who procures or purchases materials, supplies, products, provisions, or equipment under the provisions of this chapter may purchase such materials, supplies, products, provisions, or equipment which are manufactured in the United States, and which are equal in quality to other materials, supplies, products, provisions, or equipment, provided that all of the following conditions are met:

- (1) The cost of such items does not exceed the cost of other items which are manufactured outside the United States by more than five percent.
- (2) The vendor of such items agrees to sell the items at the same price as the lowest bid offered on such items.
- (3) In cases where more than one bidder offers items manufactured in the United States which are within five percent of the lowest bid, the bidder offering the lowest bid on such items is entitled to accept the price of the lowest bid made on such items.
- (4) The vendor certifies that such items are manufactured in the United States.

For the purposes of this preference,

- (1) “Manufactured in the United States” means produced by a process in which the manufacturing, final assembly, processing, packaging, testing, and any other process that adds value, quality, or reliability to assembled articles, materials, or supplies, occur in the United States.
- (2) “United States” means the United States and any place subject to the jurisdiction of the United States.

Do you claim this preference? _____yes

Specify line
number(s): _____

Specify location within the United States where this product is manufactured:

(Note: If more space is required, include on separate sheet)

Sufficient information:

Sufficient information should be enclosed with the bid in order to determine quality, suitability, and compliance with the specifications.

*** Failure to comply with this request may eliminate your bid from consideration.

Any questions, please contact buyer at the Office of State Procurement immediately.

State Procurement Officer:

Vicky Hebert

Phone: 225-342-4824

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Email: vicky.hebert@la.gov